

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KITCHEN WINNERS NY INC.,

Plaintiff,

-against-

ROCK FINTEK LLC,
Defendant.

Civil Action No. 22-cv-05276-PAE

ROCK FINTEK LLC,

*Counterclaim and Third-
Party Plaintiff,*

-against-

KITCHEN WINNERS NY INC.,

Counterclaim Defendant,

and

ADORAMA INC., HERSHEY WEINER,
JOSEPH MENDLOWITZ, JNS CAPITAL
HOLDINGS LLC and JOEL STERN

Third-Party Defendants.

**DECLARATION OF ALEXANDER
J. SPERBER IN OPPOSITION
TOROCK FINTEK LLC'S
MOTIONS IN LIMINE**

Pursuant to 28 U.S.C. § 1746, I, **ALEXANDER J. SPERBER**, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am a partner at the law firm of Lipsius-BenHaim Law, LLP, counsel for Plaintiff and Counterclaim-Defendant Kitchen Winners NY Inc. ("Kitchen Winners"), and Third-Party Defendants Adorama Inc. ("Adorama"), (collectively, "Defendants") in reference to the

above-captioned matter. I submit this Affirmation in opposition to the motions *in limine* filed by Rock Fintek LLC.

2. Annexed hereto as **Exhibit “A”** is a true and correct copy of the deposition transcript of Jospheh Weiner dated November 16, 2023.

3. Attached hereto as **Exhibit “B”** is a true and correct copy of the New York State Department of State, Division of Corporations’ website, concerning the incorporation of Wenzy Inc..

4. Attached hereto as **Exhibit “C”** is a true and correct copy of the New York State Department of State, Division of Corporations’ website, concerning the incorporation of Wenzy Trading Inc..

5. Attached hereto as **Exhibit “D”** is a true and correct copy of a WhatsApp chat between Joel Stern, on the one hand, and Thomas Kato and Bradley Gilling on the other hand.

6. Defendants produced the Wenzy invoices that Rock Fintek seeks to preclude while discovery was ongoing. The Wenzy invoices were bates stamped Adorama Inc. & Kitchen Winners NY Inc. 000270-000319.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Kew Gardens, NY
November 27, 2024



Alexander J. Sperber